

ZB# 98-21

Mans Brothers Realty, Inc.

70-1-3

#98-21- Mans, C.A.

Area

70-1-3

Prelim.

June 8, 1998

Motion to sched. P.H.

Photos here. ✓

Deed here &
mailing out -

Fees here &
Notice to Setback on 12/4/98 ✓

Public Hearing:

January 11, 1999

Area Variances

Granted *

* Conditional:

- ① No RV's are to be parked in front yard &
- ② No parking on 15 ft. drainage easement.

Refund: 353.50

DATE December 4, 1998 **RECEIPT** 037405
 RECEIVED FROM Marie Brothers Realty, Inc.
 Address _____
One hundred fifty and ^{X4}/₁₀₀ DOLLARS \$ 150 ^{X4}/₁₀₀
 FOR ZBA - #9821

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	\$	100.56
AMOUNT PAID			CHECK		150.00
BALANCE DUE			MONEY ORDER		

Town Clerk

BY Rodney J. Stoen





#98-21- Mans, C.R.

Over

70-1-3



70-1-3

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Mans, C.P.

FILE# 98-21

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA ☒

USE ☐

APPLICATION FOR VARIANCE FEE \$ 150.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 7 pages 4/8/98 \$ 31.50
2ND PRELIMINARY- PER PAGE 10 pages 1/11/99 \$ 45.00
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 76.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 6/8/98 \$ 35.00
2ND PRELIM. 1/11/99 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 146.50

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT \$ 353.50

*paid 12/3/99
ck # 10056
10057
Pd.*

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

[illegible]

In the Matter of the Application of

MANS BROTHERS REALTY INC.

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

#98-21.

WHEREAS, MANS BROTHERS REALTY INC., a corporation having an office at 879 Blooming Grove Tpk., Vails Gate, N. Y. 12584, has made application before the Zoning Board of Appeals for a 52,079 sq. ft. lot area, 101 ft. lot width, (3) 27.5 ft. front yard and 34 ft. total side yard variances to establish a sales office on the south side of Route 94 in a C zone; and

WHEREAS, a public hearing was held on the 11th day of January, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by Philip H. Schnabel, Esq. and Paul V. Cuomo, P. E.; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a former one-family residence now used as a commercial property located in a commercial zone.

(b) The property consists of two structures separated by approximately 200 sq. ft. The Applicant will enclose and join these structures if the variance is granted.

(c) The Applicant has agreed to a restriction if the variance is granted, that only passenger automobiles can be parked in the front of the premises that all RV's or similar vehicles

be parked only behind the buildings.

(d) The rear most 15 ft. of the property is a drainage easement that has been given to the Town of New Windsor.

(e) The Applicant has agreed that no vehicles of any kind may be parked on the easement.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations, but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances as previously stated are reasonable in view of the size of the building, its location, and its appearance in relation to other buildings in the neighborhood.
8. The interests of justice will be served by allowing the granting of the requested area variances.

The granting of these variances are conditioned on no parking of vehicles other than two-axle, passenger vehicles in front of the buildings on the premises and no parking of vehicles of any kind on the drainage easement at the rear of the premises.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 52,079 sq. ft. lot area, 101 ft. lot width, 27.5 ft. front yard and 34 ft. total side yard variances to establish a sales office on the south side of Route 94 in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 12, 1999.

A handwritten signature in cursive script, appearing to read "James H. Houghton", is written above a horizontal line.

Chairman

Date 1/25/98, 19....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
1/1/99	Towning Board Mtg		75 00	
	Misc - 3			
	Brigi - 3			
	Cigurno/Mellick - 3			
	Mans - 10 \$45.00			
	Orwest/Dairy Mart - 22			
	Dantas - 4			
	Pellegrino - 3			
	58		261 00	
	James Hugen		336 00	

PUBLIC HEARING:

MANS, C.P.

MR. NUGENT: Request for (1) 52,079 s.f. lot area, (2) 101 ft. lot width (3) 27.5 ft. front yard, (4) 34 ft. total side yard variances to establish sales office on south side of Rt. 94 in C zone.

Philip Schnabel, Esq. and Mr. Paul Cuomo appeared before the board for this proposal.

MR. NUGENT: Let the record show there's no one in the attendance.

MR. SCHNABEL: We were here in June and the concerns that were expressed at that time was lighting and drainage. There's not going to be any lighting in the, no additional lighting put up in the back lot so the residential area to the rear of the parcel will not be disturbed. The drainage I had a study done by Mr. Cuomo and the about 200 foot portion of the parcel in the rear that will be paved with blacktop and approximately 90 plus foot will be compacted shale and gravel and the drainage will actually be enhanced by the compacted shale and gravel because there's I guess compressed dirt there now where the water runs off more than would be absorbed by the compacted shale and gravel which will enhance the drainage problem which I understood was the main consideration of the Zoning Board of Appeals when we came up here in June. The approval of this request will enhance the appearance of the area, it will not change the appearance of the area. It will not affect any public safety, fire or garbage or police protection and it will in effect correct an eyesore that exists there now.

MR. TORLEY: This has been long enough, do you happen to have any plans so I can recall the layout unless you have a copy?

MS. BARNHART: We have one set here.

MR. CUOMO: I've got a set.

MR. NUGENT: Is this the newest one, 10/24/97?

MR. CUOMO: 10/24/97, we changed, it's outdated because we recalculated, I had to recalculate under your suggestions, I had to take out the drainage swale that was there. Remember that, but I took it out. Interestingly enough, I found out from my calculations that I did that the drainage the way it is right now is very compacted soil in the back there and by, even though we have blacktop here, if we make that absorbent, it will be like we're not changing the amount of flow back there than there is right now. If you compact the whole thing with blacktop though then you get about a 20 percent increase in grade, so I wouldn't advise that at all, so we want to keep that absorption area.

MS. OWEN: Mr. Cuomo, where is it going to be on this picture? Are these buildings torn down or are they commercial, these buildings will exist?

MR. TORLEY: The garage becomes an office, commercial garage becomes an office.

MS. OWEN: It's backwards.

MR. SCHNABEL: Yeah, this is the garage, this is the house.

MR. NUGENT: Larry, there's pictures right there.

MR. SCHNABEL: And the lot goes all the way back.

MR. TORLEY: At one point you're talking about caretakers?

MR. SCHNABEL: No, that's out, no caretaker.

MR. CUOMO: We wiped that out.

MR. TORLEY: So, what's the second floor going to be, just storage?

MR. SCHNABEL: No, an office.

MR. CUOMO: Office space.

MR. REIS: Paul, are you enclosing the 200 square foot area between the existing structures?

MR. CUOMO: Yeah, we're going to make that part of the structures.

MR. SCHNABEL: The variance we're asking for that's going to be a business and professional office on the first and second floor, the variance for 815 is for recreational vehicles, sales and service and under A16 used car sales is what we asked for for a variance.

MS. BARNHART: Also for the record we did send out 48 public hearing notices to all of the people that were on the 500 foot list from the assessor's office.

MR. KRIEGER: And nobody signed up to speak?

MS. BARNHART: Nobody's here.

MR. NUGENT: Is this yard or back area going to look like the one across the street, is that what his idea is to move that operation from across the street over to this side?

MR. SCHNABEL: No, it's going to alleviate the-I'll give you some background. I've been representing Mr. Mans on a list of like 20 violations that were issued back in August of '97, tried to address a lot of his problems and the Town's concerns. The corner there on Old Temple Hill Road and Route 94 this with the approval of this operation will alleviate a lot of the overcrowding over there and especially of concern to me and to the town is the obstruction of the site line by those vehicles coming almost up to the corner there so we've gotten approval on another property on Route 32 which I have instructed my client to start moving some of the stuff. But this will alleviate a lot of the site line and overcrowding on that lot that you're referring to, hopefully, but it's not the, as far as my representation is concerned, that's supposed to be a model type facility that will enhance the appearance of the area rather than detract from it which is what's

happening now.

MR. TORLEY: So this variance will allow Mr. Mans to move some of the R.V.s' off the one lot on the south side of the street?

MR. SCHNABEL: In the back, in the back so that--

MR. NUGENT: Back of the big house.

MR. SCHNABEL: Back of the house and you've got the 13 parking spaces that were required in back of, that you've got more asphalt and the compacted shale and that will alleviate some of the problems from across the street. The other Route 32 approve storage he's got should eliminate the rest. But the Town has expressed its concern to me and I agree with them over the sight line, it's, it has to be corrected.

MR. NUGENT: Do you have any information that you would like to include in this hearing?

MR. BABCOCK: No, I don't think so, Jimmy. I think you covered everything.

MR. NUGENT: I saw some pictures that were just shown to me recently, just give them to me.

MR. BABCOCK: These are pictures of this site.

MR. NUGENT: Has this been cleaned up? There's one in particular that I was concerned with.

MR. BABCOCK: I couldn't tell you, Jim, I know that there was--

MR. SCHNABEL: Yeah, these junk vehicles are out of there.

MR. BABCOCK: The ones all the way in the back are gone.

MR. SCHNABEL: This thing is out of there, that's out of there too.

MR. BABCOCK: Well, he's in court for that in front of the Judge right now.

MR. SCHNABEL: No, that's not acceptable as far as he can't, he's got to clean up that up at Route 94 and Old Temple Hill Road based on my representation to the Court and to the Town if he doesn't, he's liable for substantial penalties.

MR. TORLEY: Okay.

MR. BABCOCK: And that's the purpose of getting this approved so he can move and the other places, the one on 32 to get approved by the planning board so that he can go ahead and move some of these vehicles and once he has this approved and doesn't move it, I'm sure the Judge is not going to be happy with that.

MR. TORLEY: Okay.

MR. KRIEGER: Let me ask you north side and south side, it's that part that confuses me, is the north side you're talking about that other lot across the street?

MR. TORLEY: Yeah, it's not exactly across the street.

MR. SCHNABEL: It's catty-corner.

MR. KRIEGER: Is the existing lot on the corner of 94 and--

MR. SCHNABEL: That would be what, the northeast side, right.

MR. REIS: Opposite the car wash place and the post office, next to the post office.

MR. KRIEGER: Right, okay, no, you can't condition a variance here on him doing something with some other piece of property. It has to be relating to only to this piece of property, as he indicated other other restrictions, the court is not so bound.

MR. NUGENT: But there's nothing to say, you can't condition this one if that's your feeling.

MR. SCHNABEL: My suggestion is if I could volunteer it is that although it may not be enforceable in court according to the attorney, I don't think it would be out of place as an inducement to add it on is natural but I don't think that it would hurt.

MR. TORLEY: I'm just, Andy, should we grant this application, I would request that you use all of your, because I'm concerned that we don't want to create another potential eyesore without some rather stringent restrictions on the variance, I don't want more areas showing up on 94 on the south side.

MR. SCHNABEL: No, the storage area is in the rear of the parcel, not in the front.

MR. TORLEY: And there won't be any of them parked out in the front?

MR. SCHNABEL: No, should be in the rear.

MR. KRIEGER: That you can place as a restriction?

MR. CUOMO: There's paving in the front.

MR. TORLEY: I would like to have that we'll not have any cars parked in front of the structures.

MR. CUOMO: Your objection is to what, about cars?

MR. TORLEY: Cars are not going to be that much of a problem on sight line, for example, hypothetically speaking, he winds up stacking them all the way across the front of the lot like across the street so that's why.

MR. SCHNABEL: Well, parking for cars I guess next door parks cars on their approved parcel on both sides.

MR. TORLEY: Cars are not generally a real problem for sight lines.

MR. SCHNABEL: I don't think you could put an R.V. but I think it's good to limit it to cars there.

MR. TORLEY: I would not want to count on that.

MR. SCHNABEL: I would suggest that that would be perfectly appropriate to stick in whatever approval you get if you are going to give approval.

MR. REIS: According to the site plan to the rear of this property where the paving stops and the crushed stone or crushed shale begins, according to your plan here, Paul, is he going to be parking vehicles and mobile homes in that crushed area to the back of the property?

MR. CUOMO: Yeah, but that's not in the parking area, you can't park in the blacktop area though.

MR. REIS: The concern was last time we were up here that this was starting to encroach on the neighbors' rear yard there.

MR. TORLEY: One point the fence was actually on somebody else's yard.

MR. SCHNABEL: I wasn't aware of that.

MR. TORLEY: This goes way back before you became part of the process.

MR. SCHNABEL: Like I said, I'm not aware of that, I'm aware of the concerns.

MR. CUOMO: There's an easement there, we can't park on the easement, there's a 20 foot easement there.

MR. REIS: Between the easement and the end of the blacktop is where I'm referring to.

MR. CUOMO: Let me show you.

MR. BABCOCK: They intend on parking their storage on that whole graveled area except for the easement, they intend on parking R.V.'s and cars and whatever they might have.

MR. TORLEY: How big is the easement?

MR. BABCOCK: Fifteen foot wide.

MR. TORLEY: Again, nothing will be parked on that.

MR. SCHNABEL: Where is the easement?

MR. BABCOCK: It's along the back of the property that is the drainage easement.

MR. CUOMO: You can't park there.

MR. SCHNABEL: No, there's a ditch there.

MR. KRIEGER: It's very simple as a condition, no parking of vehicles on the drainage easement, shouldn't work a hardship on the applicant because apparently, it's a physical matter, he can't do that anyway so--

MR. SCHNABEL: Unless you put something down there, he has to get it out of there.

MR. REIS: No further questions.

MR. TORLEY: I move we grant Mr. Mans his requested variances as described and with the restriction that no R.V.'s or other large vehicles be parked in front of the structures between the structures and the street and no vehicles of any kind will be parked on the drainage easement in the back.

MR. SCHNABEL: Fifteen foot drainage easement?

MR. BABCOCK: Yes.

MR. TORLEY: Yes, 15 foot drainage easement.

MR. REIS: Second the motion.

ROLL CALL

MS. OWEN AYE

MR. TORLEY AYE

MR. REIS AYE

January 11, 1999

17

MR. NUGENT AYE

Date 6/18/98, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO DR.

Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
6/8/98		Zoning Board	75.00	
		MISC - 2		
		Board Mays - 7	31.50	
		Bloomer - 5		
		Aunzo/Smith - 5		
		Torrey - 5		
		Walke - 3		
		Demilt - 2		
		Weller - 2	139.50	
		<u>31</u>		
			214.50	

PRELIMINARY MEETING

MANS, C. P.

MR. NUGENT: Referred by the Planning Board for (1) 52,079 s.f. lot area, (2) 101 ft. lot width, (3) 27.5 ft. front yard, (4) 34 foot total side yard variances to establish Vails Gate Rentals & Power annex ~~at former ambulance building~~ on south side of Route 94 in C zone.

Paul Cuomo and Philip Schnabel, Esq. appeared before the board for this proposal.

MR. SCHNABEL: That's a mistake, it's not in the former ambulance building, it's next to it.

MR. BABCOCK: That should read next to the former ambulance building, just for clarification, so that we know which building we're talking about.

MR. NUGENT: Okay.

MR. SCHNABEL: My name is Phil Schnabel, I'm the attorney for Mr. Mans. Paul Cuomo is the professional engineer. We're asking for these variances under three classifications under the bulk table, A3 for a business and professional office. The first floor will be a sales office. The second floor will be a professional office. Under A15 for recreational motor vehicle sales, and under A16 for used car sales and those will be the by-product of Mr. Mans' operations. He needs the storage space, he's cramped in his present location. I'm presently representing him on various violations that he was issued by the town at various of his properties and we're working together with the town attorney to resolve them. And this if this variance is granted, it will go a long way toward relieving and reducing the congestion at the present location that Mr. Mans operates. The criteria we feel although the variances that we ask for are substantial, we submit that if allowed, it will have a positive affect on the environment, it will not put any drain on the existing municipal facilities, fire, water, garbage, et cetera, it will not change the character of the neighborhood. It will enhance the character because the building will

June 8, 1998

3

be, the present building go be renovated and will be a substantial gain in appearance and for those reasons, we ask that the variance be granted.

MR. NUGENT: Okay, just give us a minute to absorb all this. You guys have a plan over there?

MR. TORLEY: Yes.

MS. OWEN: Is this house going to be torn down?

MR. SCHNABEL: No, it's not, it's going to be renovated, ma'am, siding and so forth, the height will remain the same. But there will be an office on the second floor and a sales office on the first floor.

MR. NUGENT: In the 200 square foot area breezeway whatever you want to call it between the garage and the existing building, is that going to be enclosed?

MR. CUOMO: Yes.

MR. NUGENT: Which one, what is it going to become a part of--

MR. CUOMO: It's going to be completely enclosed.

MR. NUGENT: Is it going to be part of the office on the--

MR. CUOMO: I don't know, it's going to be all one, it's going to be part of the two story, it's going to be part of everything, in other words, it's going to be continuous, that is a good question.

MR. SCHNABEL: There will be a garage and closed in the breezeway, I guess for leading to the garage.

MR. NUGENT: Which is going to be added to the garage office, which is 384 square feet or the two story part which is 980 square feet?

MR. SCHNABEL: It will be the two story part the first floor will be a sales office, the second floor will be a professional office. This other office here 384

June 8, 1998

4

square feet will be a single story office.

MR. TORLEY: Are you removing the garage replacing an office structure?

MR. CUOMO: Yes.

MR. SCHNABEL: That is what the plan indicates.

MR. CUOMO: Here it is, if you look down at the office street parking calculation you'll see 384 plus 200 so there is the answer, in other words, the 384 and 200 are going to be the same thing and the 980 times two floors, that is going to be separate.

MR. REIS: Paul, he doesn't intend to increase the footprint of the building?

MR. CUOMO: No.

MR. TORLEY: Planning on renting out the second floor area as a professional office?

MR. SCHNABEL: I don't know whether he is going to rent it out or use it as an additional office for his operation, right now, that is not, has not been determined, just that the second floor will have an office on it.

MR. NUGENT: So I understand this, maybe I'm just, it says that the first space was 384 plus 200, that is vehicle sales office, correct, I'm reading off-street parking?

MR. CUOMO: Right.

MR. NUGENT: All right, second one is car sales, is that two different, is that two different offices, in other words, one's going to be for cars, one's going to be for something else?

MR. CUOMO: No.

MR. SCHNABEL: I would, without really having thought about it, I would imagine that both of them are going

to be related to his recreational vehicle operation.

MR. TORLEY: One business entity.

MR. SCHNABEL: Yes, one business entity, I guess that he, in some of the deals that he makes, he takes in used cars as part payment or as barter for the recreational vehicles and that is how I would think the car sales are going to come up, the cars that he takes in trade.

MR. TORLEY: If he is going to be having used cars on this lot or used cars and/or R.V.'s, any special regulations for used car operations as far as how many can be stored and setbacks, et cetera?

MR. BABCOCK: It's going to be basically up to what the planning board approves, what he asks if the planning board says.

MR. TORLEY: Is there any codification how many used cars and where they can be put?

MR. BABCOCK: No.

MR. SCHNABEL: Based on the necessary fire lanes and so forth that there will be some planning done on that.

MR. BABCOCK: It appears to me, Larry, that in front of the building towards Route 94, he's got proposed paved area all the way around through the front of the building, I would assume that is where the cars that are going to be for sale will be parked. The parking spaces 1 through 13 are for customer parking, not for the vehicles.

MR. SCHNABEL: As I note in the application, there is also a residential zone to the rear of the property which we propose to have plantings and screen the operation from the residential area.

MR. TORLEY: In your area calculations, you subtracted off the drainage easement and the sewer easements?

MR. CUOMO: What was the question?

MR. TORLEY: Fifteen foot⁴ wide drainage easement which I guess you cannot use for that area as far as calculations is concerned developmental area.

MR. CUOMO: I imagine we used everything, you know.

MR. TORLEY: For calculating area, I don't think you can use that easement if there's a 1,500 square foot easement, you have to ask for 1,500 foot more variance, you can't use that in your lot size, am I correct?

MR. BABCOCK: Yes.

MR. TORLEY: You might have to check your numbers.

MR. SCHNABEL: Storage area's going to be smaller as indicated.

MR. TORLEY: Yes and the front yard variance, this is in a C zone, what kind of front yard variance for a C Zone front yard requirements?

MR. BABCOCK: 60 feet.

MR. CUOMO: 60 feet, yes, we're asking for a variance on that, we provide 32.5 so we're asking for 27.5.

MR. TORLEY: One thing that has been, this property has been up for previous--

MR. SCHNABEL: I have read the minutes for past years.

MR. TORLEY: One thing you have to talk about is the affect on the neighboring properties of your increased paving and therefore, the drainage problem that caused some difficulties with the neighbors in the past.

MR. SCHNABEL: It's caused some difficulties with neighbors in the past?

MR. TORLEY: At a public hearing, yes?

MR. CUOMO: Way in the back here?

MR. NUGENT: In the back, yeah.

MR. CUOMO: All we're doing is continuing the drainage.

MR. TORLEY: Yo'ure paving over more space.

MR. CUOMO: We're not paving, it's all crushed shale.

MR. TORLEY: Proposed paved area.

MR. CUOMO: We're going to put the pavement up here but we're not putting the pavement.

MR. TORLEY: It's not paved right now, is it?

MR. CUOMO: Oh, yeah.

MR. TORLEY: You put crushed stone in the back part of it, that is going to change that, be prepared to talk about that, we can't give you a variance if you are going to flood out your neighbors either.

MR. SCHNABEL: We wouldn't ask for something like that.

MR. CUOMO: We'll find out the flow.

MR. TORLEY: Just don't want you to be surprised.

MR. CUOMO: Yeah, we'll do pre-development flow and development flow, in other words, we'll study it.

MR. TORLEY: Just don't want you to be surprised.

MR. SCHNABEL: Appreciate the comments.

MR. TORLEY: Since it will be adjoining residential areas, Mike, I believe we have got some changes in the code regarding lighting near residential as far as what kind of lights you can have.

MR. BABCOCK: No, so that there's no light broadcasting onto the residential areas, if they are going to light this back area the planning board will consider that when they ask for a separate lighting plan.

June 8, 1998

8

MR. SCHNABEL: I have no comment because I don't know whether there's any plans to light it up. I don't believe there is.

MR. REIS: Michael, there is adequate parking for their use?

MR. BABCOCK: Yes, they are required to have 13 spaces and they are providing 13.

MR. NUGENT: Are there any further questions? I'll accept a motion.

MS. OWEN: I make a motion that we set up Mr. C.P. Mans for a public hearing.

MR. REIS: Second it.

ROLL CALL

MS. OWEN	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. NUGENT: You're finished.

MR. SCHNABEL: Thank you very much.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 95-35

DATE: 1 MAY 1998

APPLICANT: MAWS BEDS REALTY INC

P.O. BOX 247

VALES GATE N.Y. 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 DEC 95

FOR (~~SUBDIVISION~~ - SITE PLAN) _____

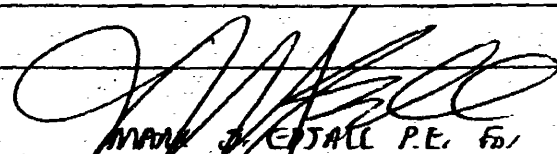
LOCATED AT SOUTH SIDE RT 94 - 150' FT WEST

OF ROUTE 300 ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

MULTIPLE AREA TYPE VARIANCES REQUIRED.


MICHAEL BIBCOCK, P.E., Fd/
BUILDING INSPECTOR

REQUIREMENTS				AVAILABLE	REQUEST		
ZONE	C	USE	A-3	A-15	A-16		
MIN. LOT AREA			40000	80000	80000	27,921 SF	52,079 SF C
MIN. LOT WIDTH			200	200	200	99 FT	101 FT D
REQ'D FRONT YD			60	60	60	32.5 FT	27.5 FT E
REQ'D SIDE YD.			30	30	30	11 FT	19 FT F
REQ'D TOTAL SIDE YD.			70	70	70	36 FT	34 FT F
REQ'D REAR YD.			30	30	30	200 FT	—
REQ'D FRONTAGE			N/A	N/A	N/A	—	—
MAX. BLDG. HT.			4 $\frac{1}{2}$ = 36'7"	6 $\frac{1}{2}$ = 55'	6 $\frac{1}{2}$ = 55'	18 FT	PRE-EXIST
FLOOR AREA RATIO			0.5	0.7	0.7	0.05	—
MIN. LIVABLE AREA			N/A	N/A	N/A	—	—
DEV. COVERAGE			N/A	7A %	N/A	— %	— %
O/S PARKING SPACES			→	13	←	13	—

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

VAILS GATE RENTALS - MANS, CASEY SITE PLAN (95-35)
ROUTE 94 - VAILS GATE

Mr. Paul Cuomo and Philip Schnabel, Esq. appeared before the board for this proposal.

MR. CUOMO: This is Vails Gate Rentals Power and we have had it on the planning board before.

MR. PETRO: This is by the old ambulance building?

MR. CUOMO: This is by the old ambulance building next to, it's next to the old ambulance building.

MR. PETRO: Next to Scott's Cleaning Wax.

MR. CUOMO: Yes and this is Phil Schnabel.

MR. SCHNABEL: Attorney for Mr. Mans.

MR. CUOMO: He's representing Mr. Mans and this project, we have evolved, it used to have a, well, I can't mention it, why don't you tell them where we're at.

MR. PETRO: Are you here on your own a accord or were you given a summons of some kind or Mr. Mans given a summons to rectify or be here?

MR. SCHNABEL: Not on this property.

MR. PETRO: All the ones existing but not on this one.

MR. SCHNABEL: He's got 20 violations that were issued for various properties that he owns. But this is not one of them. However, this is entailed in a plan that I have worked out with the town attorney to try to bring Mr. Mans into compliance with the Town Code. This will afford him storage, additional storage which right now he does not have and in some cases, makes him run afoul of the town ordinances, although, this as I say, this property is not one of the violations cited but will affect the compliance for the other areas that were cited.

MR. PETRO: Yo'ure here tonight again for referral to the zoning board?

MR. SCHNABEL: Right, ZBA, right.

MR. PETRO: The house is going to remain and be what, for car sales, second floor will be business office?

MR. CUOMO: Right.

MR. PETRO: Mike, how did they get to the business office if it was a home, now you're going to need a second office, how are you going to get the handicapped access to those offices?

MR. BABCOCK: I think the office is going to be on the--.

MR. STENT: Car sales office is going to be on the first floor.

MR. PETRO: Business office on the second floor?

MR. CUOMO: Yeah.

MR. PETRO: Second floor business office.

MR. CUOMO: Then, the garage is going to be--

MR. PETRO: Single story so that is not a problem. Are you going to enclose that 200 square feet? Are you going to tie that together one building?

MR. CUOMO: Yes, that will be one connected, the garage.

MR. BABCOCK: This 200 foot section you're going to build, Paul, in between, you're going to build an addition between the two?

MR. CUOMO: Yes.

MR. PETRO: You're building walls, putting a roof on it and connecting both buildings?

MR. CUOMO: Right.

MR. BABCOCK: There's a new State Code existing for handicapped accessibility on the second floor, if it's an accessory use, I have to be honest, I don't know what that is.

MR. PETRO: You can look into that so let's assume that is not a problem.

MR. STENT: Quick question, I want to make sure is this the gray house out there, little gray house?

MR. CUOMO: Yeah.

MR. LUCAS: And the small lot next to that south of that that is the old ambulance corps building?

MR. CUOMO: Yes.

MR. LUCAS: Next to that is where they do the car?

MR. PETRO: Used to be the gutter man there, proposed paved area that number 98 is that the limits of the C zone, is that what that dotted line going across there is for, what's that, no, topo line, what's that?

MR. KRIEGER: Between parking places 12 and 13?

MR. CUOMO: That is a topo line.

MR. EDSALL: 97 you can see on the bottom.

MR. PETRO: So you have C zone going back 230 feet, you have 200 feet and 30 feet for encroachment.

MR. CUOMO: Well, this goes back 300 feet.

MR. PETRO: The point I'm trying to make is the entire project inside the 200 foot C zone?

MR. BABCOCK: No.

MR. PETRO: Okay, how much of the project isn't, is it encroaching into the R zone?

MR. BABCOCK: Yes.

MR. PETRO: So, is that going to be another variance that they need?

MR. BABCOCK: He needs to tell us where that line is.

MR. CUOMO: We didn't mark that, I didn't realize.

MR. PETRO: We need to know that, we need to know what zone that the business is going to be in.

MR. CUOMO: I didn't realize that that was out of the zone.

MR. PETRO: Look into that one.

MR. CUOMO: Yeah, but I don't know.

MR. PETRO: What's he going to store here?

MR. SCHNABEL: Used cars.

MR. PETRO: Autos for sale, going to be a used car lot?

MR. SCHNABEL: It's the vehicles that he takes in trade it's going to be mainly trailers and motor homes which he's overflowing at present which causes a lot of these problems with the town zoning ordinance.

MR. PETRO: I don't have a problem, it's a permitted use in the zone.

MR. SCHNABEL: Coming up here looking for an area variance because of the side yard and so forth but right now, what I am hearing there may be a use variance in question because he's talking about encroaching on an R zone which I didn't know about.

MR. PETRO: Mike, for used car sales, doesn't the code says 80,000 feet? You want to check that?

MR. SCHNABEL: Yeah, it does, you're right, that is why we're asking for the area variance.

MR. PETRO: Area variance.

MR. SCHNABEL: Yeah, but as I say, until you just mentioned it, I didn't know that it was encroaching on an R zone.

MR. BABCOCK: It's not.

MR. EDSALL: The zone line goes across the back of the property.

MR. SCHNABEL: So, it is not encroaching.

MR. CUOMO: That is what I thought.

MR. PETRO: I know a lot of the Vails Gate area is 200 feet deep.

MR. EDSALL: 32 is all 200, but this section goes along the back of the property line.

MR. PETRO: Okay, so that is not an issue. I need for you to tell me that.

MR. CUOMO: I was thunder struck, I have been working on it for 3 years, thunder bolt.

MR. PETRO: Okay, enough, does anybody have any problems with this? Actually, I'd like to make a motion to refer this to the zoning board.

MR. LANDER: Vehicle storage in the back here, are there vehicles parked there now?

MR. CUOMO: No, there's nothing back there now.

MR. LANDER: There is nothing back there?

MR. SCHNABEL: No.

MR. CUOMO: Absolutely zero.

MR. SCHNABEL: It's an empty lot.

MR. LANDER: Is there a fence, some type of screening or--

MR. SCHNABEL: I believe that there is fencing on one side, I think on the east side.

MR. LANDER: Screening or cyclone fence?

MR. CUOMO: I don't think there's any screening back there.

MR. LANDER: We're going right up against the residential.

MR. CUOMO: We can put a fence.

MR. SCHNABEL: We're in an area that abuts a residential area, you're going to need something to screen it from the commercial area.

MR. PETRO: We're going to review it at the planning board level when he returns, we just need to send him to the zoning board.

MR. STENT: Motion to approve.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the Mans Vails Gate Rentals site plan Route 94. Roll call?

ROLL CALL

MR. ARGENIO	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the local zoning board for the necessary variances. When you have received those variances, if you are successful, put them on the map and come before this board and we'll review it for site plan, thank you.

Pls. publish immediately. Send bill to: C.R. Mans - P.O. Box 247
Vails Gate, NY 12584.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 21

Request of CLARENCE P. MANS

for a VARIANCE of the Zoning Local Law to Permit:

ESTABLISHMENT OF SALES OFFICE W/ LESS THAN
THE ALLOWABLE LOT AREA, LOT WIDTH, FRONT YARD & TOTAL
SIDEYARD

being a VARIANCE of Section 48-12-TABLE OF USE BULKHEADS-COL
C,D,E,F

for property situated as follows:

879 BLOOMING GROVE TPK VAILS GATE

known and designated as tax map Section 70, Blk. 1, Lot 3.

SAID HEARING will take place on the 11th day of January, 1979 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

48

September 23, 1998

Paul Cuomo
Stewart Airport
New Windsor, NY 12553

Re: 70-1-3 Mans Brothers Realty Inc.

Dear Mr. Cuomo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's office.

Sincerely,

Leslie Cook/cmo

LESLIE COOK
Sole Assessor

/cmo
Attachments

~~CONFIDENTIAL~~

70-1-1.1
Constantine Leonardo by will
94-96 Maple Street
Newburgh, NY 12550

70-1-1.2
Samuel Leonardo
7 Dogwood Hills Road
Newburgh, NY 12550

70-1-2.1
House of Apache Properties Ltd
52 Elm Street
Huntington, NY 11743

70-1-2.21
Terry Scott Hughes
18 Ellison Drive
New Windsor, NY 12553

70-1-4
Gregory P. Greer
PO Box 212
Shields Road
Cornwall, NY 12518

70-1-7
V.G. Maximus Inc.
C/o Joseph Pisani
203 Cambridge Court
New Windsor, NY 12553

70-1-8
Lorene V. Wreford &
John Douglas
16 Marshall Drive
New Windsor, NY 12553

70-1-9
Michael J. & Nancy L. Driscoll
18 Marshall Drive
New Windsor, NY 12553

70-1-10
Ronald & Edna Edwards
20 Marshall Drive
New Windsor, NY 12553

70-1-11
Benjamin & Bella Harris
PO Box 780
Cornwall, NY 12518

70-1-13
Laryry Reynolds
4 Truex Drive
New Windsor, NY 12553

70-1-14
Christopher S. & Deborah Smith
6 Truex Drive
New Windsor, NY 12553

70-1-15.1
Edward F. & JoAnn M. Lekis
PO Box 204
Vails Gate, NY 12584

70-1-15.2
Philip M. & Christina M. Melore
10 Truex Drive
New Windsor, NY 12553

70-1-15.3
Bridgette A. Brian VanderMaas
12 Truex Drive
New Windsor, NY 12553

70-1-15.4
Michael A. & Mary F. Fernandez
9 Truex Circle
New Windsor, NY 12553

70-1-15.5
Salvatore & Carolina Tosco
7 Truex Circle
New Windsor, NY 12553

70-1-15.6
Pete & Farida Caoli
18 Truex Drive
New Windsor, NY 12553

70-1-15.7
Miguel & Barbara D. Bencosme
16 Truex Drive
New Windsor, NY 12553

70-1-15.8
Kenneth N. Wynder Jr.
14 Truex Drive
New Windsor, NY 12553

70-1-16.1
Gardenr Plus 3
104 So. Central Ave
Valley Stream NY 11580-5461

70-1-16.2
4 Acres LLC
104 So. Central Ave.
Valley Stream, NY 11580

70-1-19
Leonides & Theresa J. Irizarry
20 Truex Drive
New Windsor, NY 12553

70-1-20
Thomas W. & Dorothy P. Barton
22 Truex Drive
New Windsor, NY 12553

70-2-1
Clarence & Zenobia Reed
3 Truex Drive
New Windsor, NY 12553

70-2-10
Julian & Virginia Russell
15 Truex Drive
New Windsor, NY 12553

70-2-11
Howard C. & Margaret Nevico
PO Box 92
Vails Gate, NY 12584

70-2-12
Peter L. & Eileen Abrams
11 Truex Drive
New Windsor, NY 12553

69-1-11
Steve Prekas
C/o ACSIS Foods Inc.
PO Box 212
Vails Gate, NY 12584

69-2-6
R & S Foods Inc.
249 North Craig St.
Pittsburgh, PA 15213

69-2-7
NYS Dept of Transportation
Office of State Comptroller
A.E. Smith Office Bldg.
Albany, NY 12236

69-2-8
John Grana
PO Box 317
Vails Gate, NY 12584

69-2-9
Primavera Properties Inc.
PO Box 177
Vails Gate, NY 12584

69-2-10
Angelo Rosmarino Enterprises Inc.
PO Box 392
Vails Gate, NY 12584

69-2-11
Amerada Hess Corp.
C/o Dean Cole, Property Tax Dept
1 Hess Plaza
Woodbridge, NJ 07095

69-2-12.1
MCB Partnership
208 Meadow Ave.
Scranton, PA 18505

69-4-26.11
Franchise Realty Interstate Corp.
c/o Colley & McCoy Co.
PO Box 360
Windham, NH 03087

69-4-26.12
Fred Gardner & Andrew Slepoy
William & Jacqueline Slepoy
104 So. Central Ave-Room 20
Valley Stream, NY 11580-5461

69-4-26.2
Mobil Oil Corp.
Property Tax Dept.
PO Box 290
Dallas, Texas 75221

69-3-1
FFCA Acquisition Corp.
17207 North Perimeter Drive
Scottsdale, AZ 85255

69-3-2
TGS Associates Inc.
15 East Market Street
Red Hook, NY 12571

69-3-5
S & S Properties Inc.
123 Quaker Road
Highland Mills, NY 10930

69-3-6
DB Companies DBA DB Mart
Convenience Stores
PO Box 9471
Providence, RI 02940

65-2-20
Norstar Bank of Upstate NY
Facilities Management
PO Box 911
Newburgh, NY 12550

65-2-23
Joan A. Shedden
Box 608A
Vails Gate, NY 12584

65-2-24
John J. Aquino & Gregory Mellick
9 Hawthorne Place, Apt. 2N
Boston, MA 02114

70-1-12
Harold & Yvonne B. Abrams
PO Box 462
Vails Gate, NY 12584

70-1-6
Route 94 Associates, LLC
2 Hearthstone Way
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

98-21

Date: 09/16/98

I. Applicant Information:

- (a) MANS BROTHERS REALTY-P. O. Box 247, Vails Gate, N.Y. 12584 x
(Name, address and phone of Applicant) (Owner)
- (b) -
(Name, address and phone of purchaser or lessee)
- (c) Phil Schnabel, Esq.,
(Name, address and phone of attorney)
- (d) Cuomo Engineering - Stewart International Airport, New Windsor, N.Y.
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) C s/s Route 94 70-1-3 100 x 302+/-
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 11/15/96
- (e) Has property been subdivided previously? no
- (f) Has property been subject of variance previously? No
If so, when? -
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A
- _____
- _____
- _____

IV. Use Variance. n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No x.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. C,D,E,F.

Requirements	A-3	A-15	A-16	Proposed or Available	Variance Request
Min. Lot Area	40,000	80,000	80,000	27,921 s.f.	52,079 s.f.
Min. Lot Width	200	200	200	99 ft.	101 ft.
Reqd. Front Yd.	60	60	60	32.5 ft.	27.5 ft.
Reqd. Side Yd.	30	30	30	11 ft.	19 ft.
Total Side Yd.	70	70	70	36 ft.	34 ft.
Reqd. Rear Yd.	30	30	30	200 ft.	-
Reqd. Street Frontage*	n/a	n/a	n/a	-	-
Max. Bldg. Hgt.	3.67	5.5	5.5	18 ft.	Pre-existing
Min. Floor Area*	0.5	0.7	0.7	0.05	-
Dev. Coverage*	n/a	n/a	%	n/a	-
Floor Area Ratio**				-	-
Parking Area		13		-	-

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

An undesirable change will not be made to the neighborhood which is commercial in nature; the benefit sought by applicant cannot be achieved by any other procedure other than the variance process; the requested lot area variance is substantial, but applicant feels that it should be granted since the minimum lot area is only 27,921 square feet and is insufficient area for a C zone; applicant cannot purchase additional land in order to meet the requirements of the C zone since it is landlocked. (You may attach additional paperwork if more space is needed) (see attached)

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 48-18 - Supplementary Sign Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. n/a

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See site plan attached)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 150.00 and the second check in the amount of \$ 500.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: _____

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

(Applicant)

Clarence P. Mans

Sworn to before me this

____ day of _____, 19____.

XI. ZBA Action:

(a) Public Hearing date: _____.

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Mans Brothers Realty, Inc
TO
Clarence P. Mans

SECTION 70 BLOCK 1 LOT 3

RECORD AND RETURN TO:
(Name and Address)

Clarence P. Mans
16 Tamar Lane
Cornwall - NY 12519

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)
___ 2001 WASHINGTONVILLE (VLG)
___ 2289 CHESTER (TN)
___ 2201 CHESTER (VLG)
___ 2489 CORNWALL (TN)
___ 2401 CORNWALL (VLG)
___ 2600 CRAWFORD (TN)
___ 2800 DEERPARK (TN)
___ 3089 GOSHEN (TN)
___ 3001 GOSHEN (VLG)
___ 3003 FLORIDA (VLG)
___ 3005 CHESTER (VLG)
___ 3200 GREENVILLE (TN)
___ 3489 HAMPTONBURGH (TN)
___ 3401 MAYBROOK (VLG)
___ 3689 HIGHLANDS (TN)
___ 3601 HIGHLAND FALLS (VLG)
___ 3889 MINISINK (TN)
___ 3801 UNIONVILLE (VLG)
___ 4089 MONROE (TN)
___ 4001 MONROE (VLG)
___ 4003 HARRIMAN (VLG)
___ 4005 KIRYAS JOEL (VLG)

___ 4289 MONTGOMERY (TN)
___ 4201 MAYBROOK (VLG)
___ 4203 MONTGOMERY (VLG)
___ 4205 WALDEN (VLG)
___ 4489 MOUNT HOPE (TN)
___ 4401 OTISVILLE (VLG)
___ 4600 NEWBURGH (TN)
☒ 4800 NEW WINDSOR (TN)
___ 5089 TUXEDO (TN)
___ 5001 TUXEDO PARK (VLG)
___ 5200 WALLKILL (TN)
___ 5489 WARWICK (TN)
___ 5401 FLORIDA (VLG)
___ 5403 GREENWOOD LAKE (VLG)
___ 5405 WARWICK (VLG)
___ 5600 WAWAYANDA (TN)
___ 5889 WOODBURY (TN)
___ 5801 HARRIMAN (VLG)

CITIES

___ 0900 MIDDLETOWN
___ 1100 NEWBURGH
___ 1300 PORT JERVIS

___ 9999 HOLD

NO. PAGES 6 CROSS REF
CERT. COPY AFFT. FILED

PAYMENT TYPE: CHECK ☒
CASH ☐
CHARGE ☐
NO FEE ☐

CONSIDERATION \$ -0-
TAX EXEMPT ☐

MORTGAGE AMT \$
DATE 8-24-95

MORTGAGE TYPE:

___ (A) COMMERCIAL
___ (B) 1 OR 2 FAMILY
___ (C) UNDER \$10,000.
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR.UNION
___ (J) NAT.PER-CR.UN/ OR 2
___ (K) CONDO

RECEIVED FROM: Ash Ink

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

ORANGE COUNTY CLERKS OFFICE 42351 MLV
RECORDED/INDEXED 09/19/95 11:45:45 AM

FEES 5.00 EDUCATION FUND 5.00

SERIAL NUMBER 001448
DEED CNTL NO 59790 RE TAX .00

**RESOLUTION OF BOARD OF DIRECTORS MEETING
CONSENTING TO CONVEY CORPORATE PROPERTY**

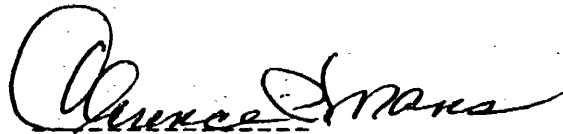
Upon motion duly made, seconded and carried, the following resolution was adopted by the affirmative vote of the Board of Directors of Mans Brother Realty, Inc., and being at least two-thirds of the total number of shares outstanding entitled to vote thereon.

WHEREAS, Mans Brother Realty, Inc., is an active, solvent and valid corporation, is desirous of conveying its property known as Lot 3, Hway 94 a/k/a Rte 94 & Old Temple Hill Road, New Windsor, NY, to Clarence P. Mans, a shareholder, officer, and president of the corporation, and

WHEREAS, a deed has been prepared conveying the premises to its shareholder, Clarence P. Mans, dated Aug. 24, 1995, for execution by Clarence P. Mans, its president and a shareholder of the corporation, be it

RESOLVED, that we, the sole members of the Board of Directors of said Mans Brothers Realty Inc, consent that said corporation convey the premises to Clarence P. Mans, by the deed described above and executed by Clarence P. Mans. president of Mans Brothers Realty Inc.

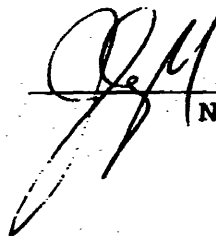
IN WITNESS WHEREOF, we have made and subscribed this resolution and consented this Aug.24, 1995



Clarence P. Mans,
Pres. and stockholder

STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

On Aug. 24, 1995 before me personally appeared Clarence P. Mans, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged that he executed the same.

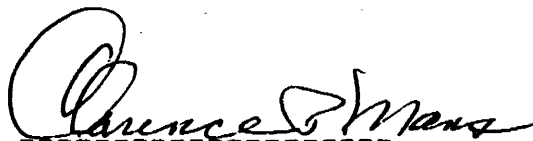


Notary Public

JOSEPH ENGLAND
Notary Public, State of New York
No. 02EN4984629
Qualified in Orange County
Commission Expires July 29, 1997

CERTIFICATION

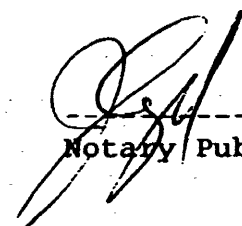
I, Clarence P. Mans, secretary, and president of Mans Brothers Realty, Inc., do hereby certify that the total number of shares of the capital stock of said corporation outstanding entitled to vote thereon is 200 Shares; that according to the books of said corporation, the persons who have executed the consent to borrow are the holders of the number of shares set opposite their respective names and together are the holders of more than two-thirds of the total number of shares outstanding of said capital stock entitled to vote thereon; that the amount of capital stock specified in the certificate of incorporation of said corporation as the amount with which it was to begin business, has been duly paid in and that all taxes due from said corporation to the State and any applicable municipality have been duly paid.



Clarence P. Mans,
Secretary, pres.

STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

On Aug. 24, 1995, before me came Clarence P. Mans to me known to be the individual described in and who executed the foregoing instrument and acknowledged that he executed the same.



Notary Public

JOSEPH ENGLAND
Notary Public, State of New York
No. 02EN4984629
Qualified in Orange County
Commission Expires July 29, 1997

**RESOLUTION OF STOCKHOLDERS MEETING
CONSENTING TO CONVEY CORPORATE PROPERTY**

Upon motion duly made, seconded and carried, the following resolution was adopted by the affirmative vote of the stockholders representing 100% of the issued and outstanding capital stock of Mans Brothers Realty, Inc. and being at least two-thirds of the total number of shares outstanding entitled to vote thereon.

WHEREAS, Mans Brothers Realty, Inc., an active, solvent and valid corporation, is desirous of conveying its property known as Lot 3, Hwy 94 a/k/a Rte 94 & Old Temple Hill Road, New Windsor, NY, to Clarence P. Mans and

WHEREAS, a deed has been prepared conveying the premises to Clarence P. Mans dated 8/24/95, for execution by Clarence P. Mans, its president and a shareholder the corporation, be it

RESOLVED, that we, the stockholders of said Mans Brothers Realty, Inc. unanimously consent that said corporation convey the premises to Clarence P. Mans by the deed described above and executed by Clarence P. Mans, president of Mans Brothers Realty, Inc.

IN WITNESS WHEREOF, we have made and subscribed this resolution and consented this 24th day of August 1995.

Barrence J. Evans

Clarence P. Mans, as
stockholder, pres. and sec.
200 shares

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On Aug. 24, 1995 before me personally appeared Clarence P. Mans, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary Public

JOSEPH ENGLAND
Notary Public, State of New York
No. 02EN4984629
Qualified in Orange County
Commission Expires July 29, 1927

Attached to and made a part of Stewart Title Insurance Company Policy No. AI-ST-0021

Continuation of Schedule "B" description

ALL that certain plot, piece or parcel of land, situate, lying and being in Vails Gate in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

PARCEL I

BEGINNING at a point in the southerly side of Blooming Grove Turnpike, said point of beginning being the northwest corner of lands conveyed by Katherine V. Cushing to Samuel Lewis and Catherin M.P. Lewis by deed dated April 29, 1924, and running thence southerly along the westerly line of lands so conveyed and being along the easterly line of lands now occupied by Vails Gate Fire Company a distance of 150 feet; thence easterly 52 feet; thence northerly 150 feet to the southerly line of the Blooming Grove Turnpike and thence westerly along the southerly line of Blooming Grove Turnpike 52 feet to the point or place of beginning.

PARCEL II

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

ON the west by the new state road from Newburgh with a frontage of 252 feet; on the south by lands of David Scanlon; thence north 223 feet to the lands of Katherine V. Cushing, thence west 329 feet to the new state road.

EXCEPTING HOWEVER, from Parcel II hereinbefore described those portions conveyd by and described in the following deeds.

1. Deed dated 1/3/47 made by Catherin M.P. Lewis to John T. Paterson, Russell Brewer, John W. Patterson and Donald Wood, co-partners d/b/a under the name and style of John T. Patterson & Co., recorded in Orange County Clerk's Office 1/4/47 in Liber 1031 cp 66.
2. Deed 3/31/48 made by Catherine M.P. Lewis to Agnes M. Turczyn, recorded in the Orange County Clerk's Office, 4/15/48 in Liber 1080 cp 285.
3. Deed dated 11/1/46 made by Hugh Lewis and Marie Lewis to Catherine M.P. Lewis, recorded in the Orange County Clerk's Office 1/4/47 in Liber 1031 cp 69.

D E E D

THIS INDENTURE, made August 24, 1995,

BETWEEN

MANS BROTHERS REALTY, INC., having its principle place of business at P.O.BOX 247, Vails Gate, NY 12584, the party of the first part, and

CLARENCE P. MANS, residing at 16 Tamara Lane, Cornwall, NY 12519, the party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon described on the annexed SCHEDULE A - LEGAL DESCRIPTION

Said premises being and intended to be the same premises conveyed to the grantor by deed dated 1/30/95 recorded in the Orange County Clerk's Office on 2/1/95 in Liber 4174 page 299.

Said premises being known as and by street number Lot 3, Hway 94, a/k/a Rte 94 & Old Temple Hill Road, New Windsor, NY 12584;

Said premises being also known as Section 70 Block 1 Lot 3;

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the

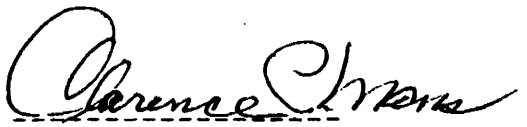
improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

This conveyance is made with the unanimous consent of the stockholders of the corporation.

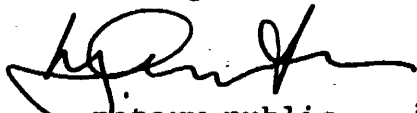
IN PRESENCE OF:

BY: 

Clarence P. Mans
President

STATE OF NEW YORK, COUNTY OF NASSAU SS:

On August 24, 1995, before me personally came Clarence P. Mans, to me known, who, being by me duly sworn, did depose and say that (s)he resides at 16 Tamara Lane, Cornwall, NY 12519, that (s)he is the president of Mans Brothers Realty, Inc., the corporation described in and which executed, the forgoing instrument; that (s)he signed his/her name thereto by like order.


notary public
Lynn C. Bruetsch
Sull. Co. Com #1692
Comm. exp. 4/30/96

DISTRICT :
SECTION: 70
BLOCK: 1
LOT: 3
COUNTY: Orange

Record and Return to:
Clarence P. Mans
16 Tamara Lane
Cornwall, NY 12519

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

21

Date: 5-8-98

I. Applicant Information:

- (a) CLARENCE P. MANS P.O. BOX 247 VAILS GATE NY 562-6003
(Name, address and phone of Applicant) (Owner)
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) PHILIP H. SCHMIDT P.O. BOX 247 VAILS GATE NY 562-6003
(Name, address and phone of attorney)
- (d) PAUL CROMO, STEWART AIRPORT 567-0063
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) C 879 BLOOMING GARDEN TPK 701/3 27,921 SF
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R IN REAR
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1978
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: YES
USED CAR, MOTOR VEHICLES & RECREATIONAL
VEHICLE SALES & STORAGE

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

N/A

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No ✓.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section A-3, Table of DESIGN SHOPPING C Regs., Col. C + I.

	<u>A-15</u> <u>A-16</u>	<u>"</u> <u>"</u>	<u>E + I</u> <u>C + I</u>
Requirements		Proposed or Available	Variance Request
Min. Lot Area	<u>80,000 SF</u>	<u>27,921 SF</u>	<u>52,079 SF</u>
Min. Lot Width	<u>200 FT</u>	<u>99 FT</u>	<u>101 FT</u>
Reqd. Front Yd.	<u>60 FT</u>	<u>32.5 FT</u>	<u>27.5 FT</u>
Reqd. Side Yd.	<u>30 FT</u>	<u>11 FT</u>	<u>19 FT</u>
Reqd. Rear Yd.	<u>70 FT</u>	<u>36 FT</u>	<u>34 FT</u>
Reqd. Street Frontage*	<u>N/A</u>		
Max. Bldg. Hgt.	<u>4 1/2" = 3.62' 6 1/2" = 55'</u>	<u>18 FT</u>	<u>AS EXISTING</u>
Min. Floor Area*	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Dev. Coverage*	<u>N/A</u> %	<u>N/A</u> %	<u>N/A</u> %
Floor Area Ratio**	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Parking Area	<u>—</u>	<u>13</u>	<u>—</u>

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

THE CHARACTER OF THE AREA WILL REMAIN UNCHANGED BUT THE APPEARANCE OF THE AREA WILL BE ENHANCED, BENEFITING ADJACENT PROPERTIES. THE SAFETY OF THE COMMUNITY WILL BE ENHANCED BY PROVIDING STORAGE FOR VEHICLES IN A MORE SPACIOUS SETTING, RESULTING IN ENHANCED PHYSICAL AREA CONDITIONS.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

SCREENING BY PLANTINGS AND FENCING WILL
PROVIDE ENHANCED PRIVACY FOR A ZONE IN REAR
OF PROPERTY.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- N/A ☐ Copy of contract of sale, lease or franchise agreement.
- ☐ Copy of deed and title policy.
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copy(ies) of sign(s) with dimensions and location.
- ☐ Two (2) checks, one in the amount of \$_____ and the second check in the amount of \$_____, each payable to the TOWN OF NEW WINDSOR.
- ☐ Photographs of existing premises from several angles.

X. Affidavit.

Date: 5-8-98

STATE OF NEW YORK)
) SS.:
 COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.


 (Applicant)

Sworn to before me this

8 day of MAY

1998.
 PHILIP H. SCHMIDT
 Notary Public, State of New York
 Registered in Orange County
 Reg. # 0100007022
 Commission Expires January 2, 1999

XI. ZBA Action:

(a) Public Hearing date: _____

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8840
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2785
e-mail: mhpa@ptd.net



REVIEW NAME: MANS-VAILS GATE ANNEX SITE PLAN
PROJECT LOCATION: NYS ROUTE 94
SECTION 70-BLOCK 1-LOT 3
PROJECT NUMBER: 95-35
DATE: 11 MARCH 1998
DESCRIPTION: THE APPLICATION PROPOSES A USED CAR SALES AND
MOTOR VEHICLES AND RECREATIONAL VEHICLE SALES
AND STORAGE. IN ADDITION, BUSINESS OFFICE SPACE
IS PROPOSED. THE APPLICATION WAS PREVIOUSLY
REVIEWED AT THE 13 DECEMBER 1995 AND
8 JANUARY 1997 PLANNING BOARD MEETINGS.


REISSUED 25 MAR 98

1. This project is located within the Design Shopping (C) Zoning District of the Town. The Applicant proposes Uses A-3, A-15 and A-16 of the Code (business offices, recreational motor vehicle sales and used car sales).

The "required" bulk information shown on the plan appears correct for the various uses. As can be noted, several area type variances are required from the Zoning Board of Appeals.

2. At this time, it is my recommendation that the Planning Board refer this application to the Zoning Board of Appeals for necessary review and action. At such time that the Applicant receives all the necessary variances for the proposed uses, further technical review of the site plan can proceed.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk

A:MANS4.mk

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

CLARENCE P. MANS

TO

MANS BROTHERS REALTY, INC.

SECTION 70 BLOCK 1 LOT 5

RECORD AND RETURN TO:
(Name and Address)

ALLEN J. GOODMAN, ESQ
312 MAIN STREET
CORNWALL, NY 12518

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)	4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG)	4201 MAYBROOK (VLG)
2289 CHESTER (TN)	4203 MONTGOMERY (VLG)
2701 CHESTER (VLG)	4205 WALDEN (VLG)
2489 CORNWALL (TN)	4489 MOUNT HOPE (TN)
2401 CORNWALL (VLG)	4401 OTISVILLE (VLG)
2800 CRAWFORD (TN)	4600 NEWBURNH (TN)
2800 DEERPARK (TN)	4800 NEW WINDSOR (TN)
3089 GOSHEN (TN)	5089 TUXEDO (TN)
3001 GOSHEN (VLG)	5001 TUXEDO PARK (VLG)
3003 FLORIDA (VLG)	5200 WALLKILL (TN)
3005 CHESTER (VLG)	5489 WARWICK (TN)
3200 GREENVILLE (TN)	5401 FLORIDA (VLG)
3489 HAMPTONBURGH (TN)	5403 GREENWOOD LAKE (VLG)
3481 MAYBROOK (VLG)	5405 WARWICK (VLG)
3889 HIGHLANDS (TN)	5600 WAWAYANDA (TN)
3881 HIGHLAND FALLS (VLG)	5889 WOODBURY (TN)
3889 MINISINK (TN)	5801 HARRIMAN (VLG)
3881 UNIONVILLE (VLG)	
4889 MONROE (TN)	
4881 MONROE (VLG)	
4883 HARRIMAN (VLG)	
4885 KIRYAS JOEL (VLG)	

CITIES

0800 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS
9999 HOLD

NO. PAGES 2 CROSS REF
CERT. COPY AFFT. FILED

PAYMENT TYPE: CHECK ☒
CASH ☐
CHARGE ☐
NO FEE ☐

CONSIDERATION \$
TAX EXEMPT ☐

MORTGAGE AMT \$
DATE

MORTGAGE TYPE:
☐ (A) COMMERCIAL
☐ (B) 1 OR 2 FAMILY
☐ (C) UNDER \$10,000.
☐ (E) EXEMPT
☐ (F) 3 TO 6 UNITS
☐ (G) NAT.PERSON/CR/UNION
☐ (J) NAT.PER-CR/UNI OR 2
☐ (K) CONDO

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM: A. Goodman

LIB 4572 209

LIBER 4572 PAGE 209
ORANGE COUNTY CLERK'S OFFICE 25778 PMP
RECORDED/FILED 05/22/97 02:03:04 PM
FEES 41.00 EDUCATION FUND 5.00
SERIAL NUMBER: 007674
DEED CNTL NO 55197 RE TAX .00

THIS INDENTURE, made the fifteenth day of November, nineteen hundred and ninety six
BETWEEN

Clarence P. Mans, residing at 16 Tamara Lane, Cornwall, New York, County of Orange, party of the first part, and

Mans Brothers Realty, Inc., having its principal place of business at P.O. Box 247, Vails Gate, New York, County of Orange
party of the second part,

WITNESSETH, that the party of the first part in consideration of ten dollars (\$10.00) lawful money and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Vails Gate, Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

PARCEL I

BEGINNING at a point in the southerly side of Blooming Grove Turnpike, said point of beginning being the northwest corner of lands conveyed by Katherine V. Cushing to Samuel Lewis and Catherine M.P. Lewis by deed dated April 29, 1924, and running thence southerly along the westerly line of lands so conveyed and being along the easterly line of lands now occupied by Vails Gate Fire Company a distance of 150 feet; thence easterly 52 feet; thence northerly 150 feet to the southerly line of the Blooming Grove Turnpike and thence westerly along the southerly line of Blooming Grove Turnpike 52 feet to the point or place of beginning.

PARCEL II

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Vails Gate, Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

ON the west by the new state road from Newburgh with a frontage of 252 feet; on the south by lands of David Scanlon; thence north 223 feet to the lands of Katherine V. Cushing, thence west 329 feet to the new state road.

EXCEPTING HOWEVER, from Parcel II hereinbefore described those portions conveyed by and described in the following deeds:

1. Deed dated 1/3/47 made by Catherine M.P. Lewis to John T. Patterson, Russell Brewer, John W. Patterson and Donald Wood, co-partners d/b/a under the name and style of John T. Patterson & Co., recorded in Orange County Clerk's Office 1/4/47 in Liber 1031 cp 66.
2. Deed 3/31/48 made by Catherine M.P. Lewis to Agnes M. Turczyn, recorded in the Orange County Clerk's Office, 4/15/48 in Liber 1080 cp 285.
3. Deed dated 11/1/46 made by Hugh Lewis and Marie Lewis to Catherine M.P. Lewis, recorded in the Orange County Clerk's Office 1/4/47 in Liber 1031 cp 69.

Said premises being and intended to be the same premises conveyed to the grantor by deed dated August 24,

1995 recorded in the Orange County Clerk's Office on September 19, 1995 in Liber 4275 page 257.

Said premises being known as and by street number Lot 3, Highway 94, a/k/a Rte 94 & Old Temple Hill Road, New Windsor, New York 12584

Said premises being also known as section 70 Block 1 Lot 3;

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid. **AND** the party of the first part in compliance with section 13 of the Lien Law, covenants that the party of the first part will receive such consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it reads "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first written above.

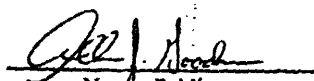

Clarence P. Mans

STATE OF NEW YORK)

ss.:

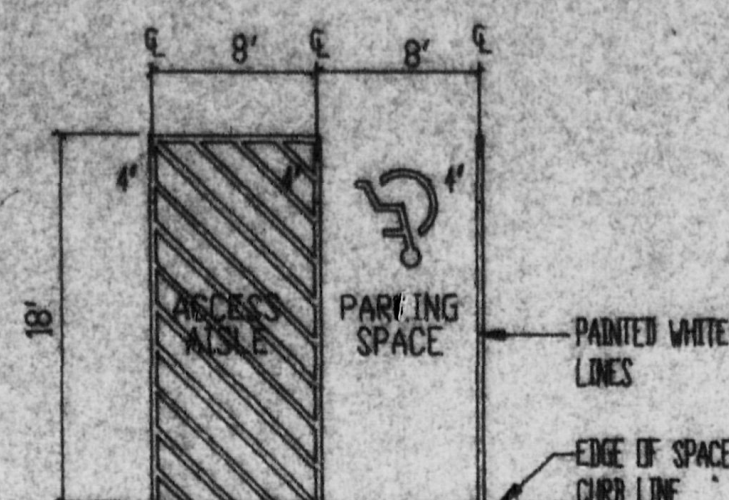
COUNTY OF ORANGE)

On the 15th Day of ^{September} ~~March~~, 1996, before me personally came Clarence P. Mans to me known, who being duly sworn, did depose and say that he resides at 16 Tamara Lane, Cornwall, New York, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.


Notary Public

ALLEN J. GOODMAN
Notary Public, State of New York
Qualified in Rockland County
Commission Expires August 1, 1997

LIBR 45786 211



HANDICAPPED SPACE DETAIL

SCALE: 1"=10'

HANDICAPPED PARKING SIGN
WHITE LETTERING
W/ BLUE BACK-
GROUND

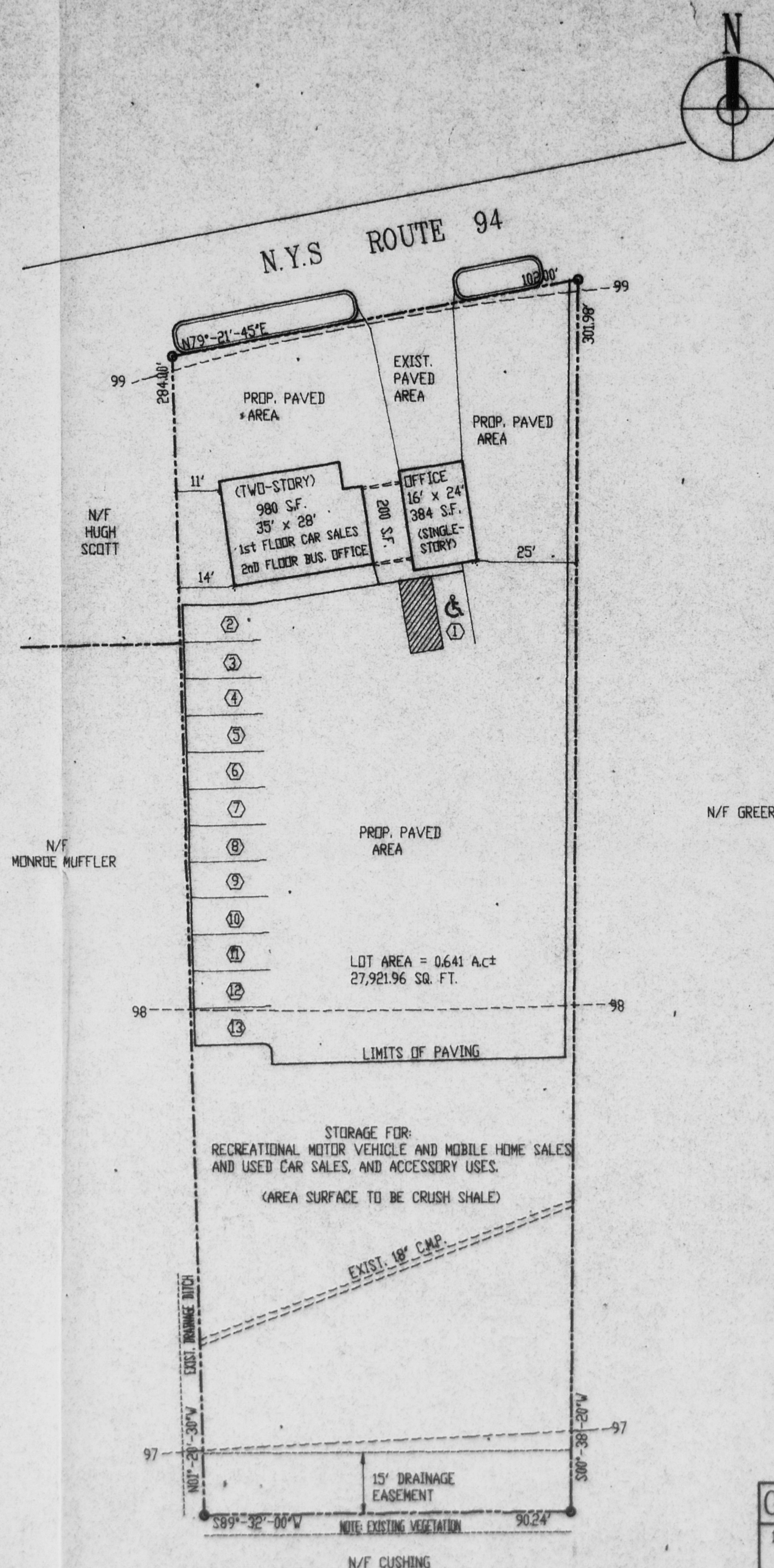


FINISHED GRADE

24" x 24" POURED
CONCRETE FOOTING

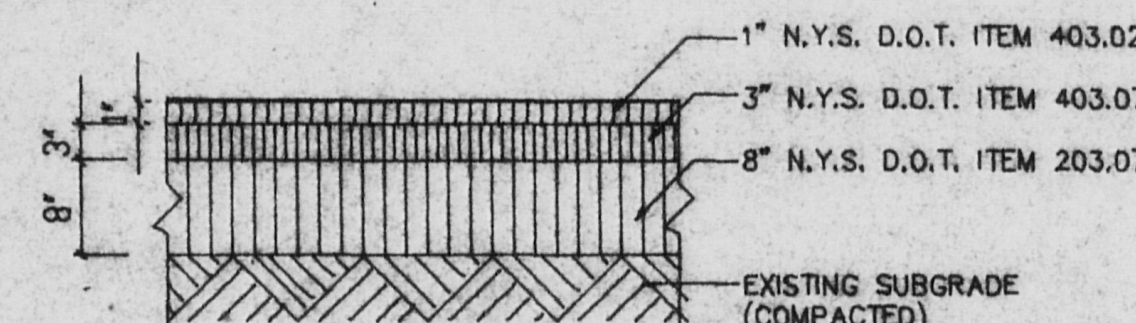
HANDICAP SIGN DETAIL

NO SCALE



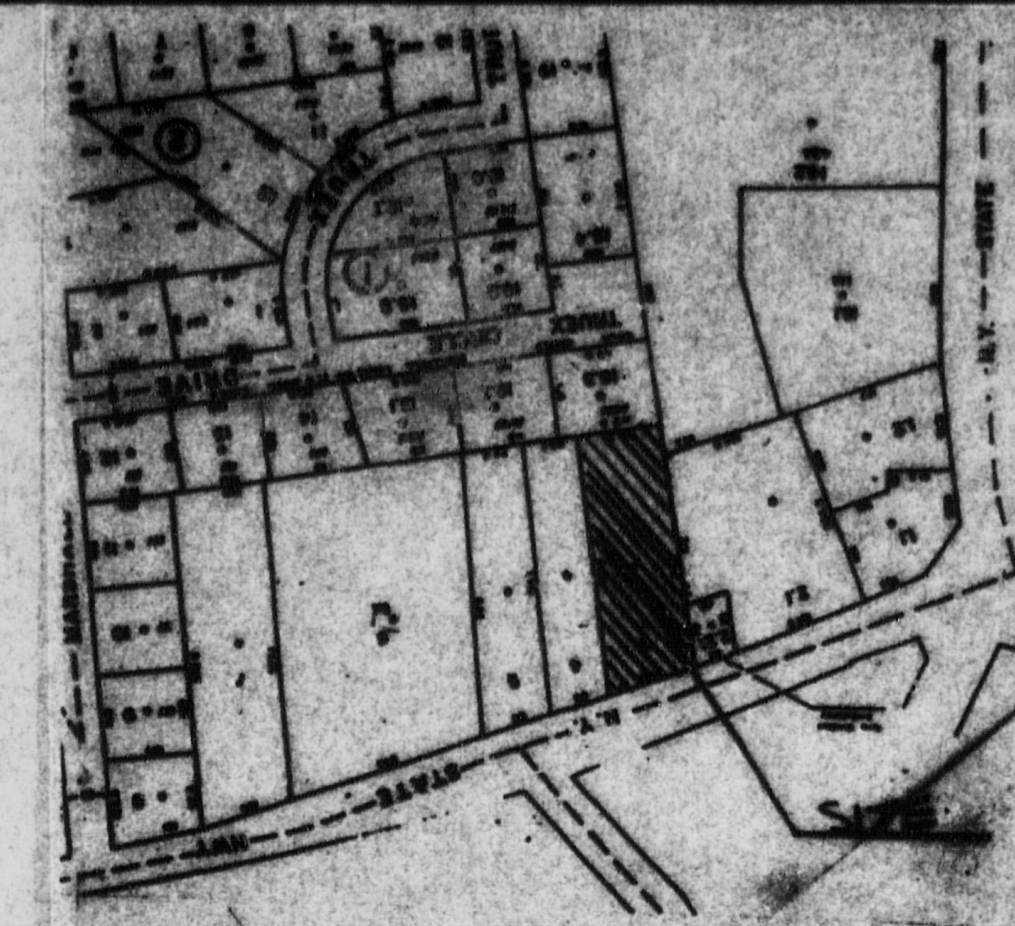
SITE PLAN

SCALE: 1" = 20'-0"



DRIVE AND PAVING SECTION

SCALE: 1"=1'-0"



LOCATION MAP

ZONING REQUIREMENTS

DISTRICT ZONE 'C' DESIGN SHOPPING

SECTION 70 BLOCK 1 LOT 3

ITEM	A-3 REQ'D	A-15 REQ'D	A-16 REQ'D	PROVIDED	ZBA
LOT AREA	40,000 S.F.	80,000 S.F.	80,000 S.F.	27,921 S.F.	52,079 S.F.
LOT WIDTH	200'	200'	200'	99'	101'
FRONT YARD	60'	60'	60'	32.5'	27.5'
SIDE YARD	30'	30'	30'	11'	19'
BOTH SIDES	70'	70'	70'	36'	34'
REAR YARD	30'	30'	30'	200'	—
FRONTAGE	N/A	N/A	N/A	102'	—
MAX. BLDG. HGT.	3.67'	5.5'	5.5'	18'	—
FLOOR AREA RATIO	0.5	0.7	0.7	0.05	—
MIN. FLOOR AREA	N/A	N/A	N/A	—	—
DEV. COVERAGE	N/A	N/A	N/A	—	—

COVERAGES:

BUILDING COVERAGE % OF TOTAL AREA	$\frac{1,564}{27,921} = 0.056$
PAVEMENT COVERAGE % OF TOTAL AREA	$\frac{6,896.00}{27,921} = 0.246$
OPEN SPACE % OF TOTAL AREA	$\frac{17,318.25}{27,921} = 0.62$

OFFSTREET PARKING:

BUSINESS OFFICE:
1 SPACE PER 200 FT OF GROSS FLOOR AREA
 $384 \div 200 = 584 / 200 = 2.92$ SPACES
(VEHICLE SALES OFFICE)

BUSINESS OFFICE & CAR SALES
 $980 \times 2 \text{ FLOORS} = 1,960 / 200 = 9.80$ SPACE
(1st FLOOR SALES & 2nd BUSINESS OFFICE)

REQUIRED
12.72 SPACES

PROVIDED
13 SPACES

GENERAL INFORMATION

- OWNER & APPLICANT:
VAILS GATE RENTALS
AND POWER ANNEX, INC.
- SURVEY INFORMATION PROVIDED BY:
V.M. TAYLOR, LAND SURVEYOR
LEWIS SUBDIVISION

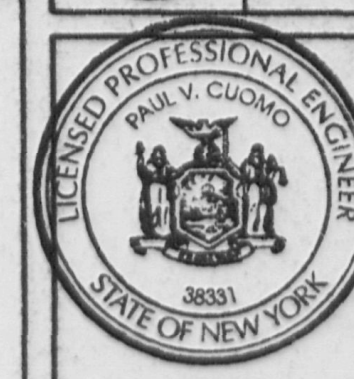
APPROVAL BOX:

NOTE:
THIS PLAN IS COPYRIGHTED
UNAUTHORIZED ALTERATION
TO THIS PLAN IS A VIOLATION
OF SECTION 7209(2) OF THE
NEW YORK STATE EDUCATION
LAW.

DATE	ISSUANCE	BY

DATE	REVISIONS	BY
3-1-98	WORKSHOP COR.	P.V.C.
2-11-98	WORKSHOP COR.	P.V.C.
12-1-97	WORKSHOP COR.	P.V.C.

CUOMO ENGINEERING
STEWART INTERNATIONAL AIRPORT, NEW WINDSOR, N.Y. 12553 (914) 567-0063
VAILS GATE RENTALS & POWER ANNEX INC.



DATE	10-24-97
DRAWN BY	P.V.C.
CHECKED BY	P.V.C.
SCALE	AS NOTED
PROJECT NO.	95354

SP-1

SECTION 65

SECTION 37

SECTION 69

539

ALL NEWBURGH SCHOOL DISTRICT
ALL VAILS GATE FIRE DISTRICT

538

Prepared by
AERO SERVICE CORPORATION
A DIVISION OF LITTON INDUSTRIES
1000 NEW YORK ST. AVONDALE, PA. 19002
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE



LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.
BLOCK & SECTION LIMIT	MATCH LINE	AREAS (Color) (1" = 100')
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (Color) (1" = 100')
PROPERTY LINE		

FILED PLAN BLOCK NO.	FILED PLAN LOT NO.
STATE HIGHWAYS	COUNTY HIGHWAYS
TOWN ROADS	

ORANGE COUNTY~NEW YORK

Photo No. 8-497,498 Date of Map 9-24-97
Date of Photo 3-1-92 Date of Revision 3-1-92
Scale 1" = 100'

TOWN OF NEW WINDSOR

Section No. 70